

Headquarters U.S. Air Force

Integrity - Service - Excellence

National Disclosure Policy and Export Controls



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National Disclosure Policy

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- **Purpose is to guide international programs**
- **Provides framework and process for logical disclosure decisions**
 - **What classified and controlled unclassified info should be released to foreign governments and international organizations in support of US national interests**
- **Applicability**
 - **Classified information**
 - **Controlled unclassified (i.e. export controlled) information**
- **“Insure disclosure decisions are made promptly and disclosure activities are carried out effectively”**



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Legal/Policy Basis

- **Arms Export Control Act (AECA)**
- **Executive Order 12958**
- **National Security Decision Memorandum 119**



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Basic Principles

- **Classified info is a national security asset**
- **May be shared with foreign governments and international organizations when clearly defined benefit to the US**
- **No false impressions**
- **Disclosure decisions based on five criteria**



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Disclosure Criteria

- **Consistent with US foreign policy and national security objectives**
- **Consistent with US military security objectives**
- **Foreign recipient will provide security protection**
- **Clearly defined benefit for US**
- **Disclosure limited to specific purpose**
 - **No gratuitous disclosures**



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Disclosure Authority

- **Disclosure authority delegated by SecDef to department/agency heads**
- **Re-delegated to specifically designated officials in departments/agencies**
- **Interagency review required for disclosures that exceed department/agency delegated authority**
 - **Decision based on disclosure criteria**
- **Actual transfers of defense articles, services or tech data must have legal vehicle (i.e. LOA, MOU, export license/agreement)**



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Interagency Review Processes

- **National Disclosure Policy Committee**
- **LO/CLO Executive Committee**
- **Committee on National Security Systems**
- **Export License Review**

**JSF international cooperation involves all four
processes**



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Interagency Reviewers

Department of State

Army

Navy

Air Force

JCS

OSD(AT&L)

OSD(C3I)

OSD(P)

DIA

CIA

NSA



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JSF Disclosure Program Implementation

- **1994 - JSFPO requests SAF/IA executive agent for disclosure**
- **SAF/IA trains specifically designated JSFPO disclosure officials**
- **SAF/IA delegates disclosure authority to JSFPO**
- **SAF/IA advocates JSF international initiatives for approval by the National Disclosure Policy Committee**



Recommendations

- **Become familiar with foreign disclosure and export control requirements and processes**
- **Make foreign disclosure and export controls an integral part of international program planning and execution**
 - **Address issues early in program planning process**
 - **Build time into schedules to obtain approvals prior to making commitments to foreign partners**
- **Insure security/dissemination control markings are properly applied to documents/information**